

To: Greensboro Development Review Board
From: David Miltenberger and Jeanne Joslin
Date: September 15, 2020

Dear Board Members:

We are writing this letter to appeal the decision by the Greensboro Zoning Officer to permit the large "Dump Trump" sign on the land of Jay and Rose Modry within the Shoreline Protection District.

First we want to state that our motivation for objecting to this sign is not based on any opposition to the sentiment that the sign expresses. We too would like to see Mr. Trump "dumped" from office in as dramatic a way as the body politic can muster. In our minds he is the worst President of our lifetime. Our objection is based on Greensboro's clearly stated zoning rules governing signs. So we feel obligated to put our politics aside and make this objection based on principle.

Our objection is also not based on any animosity toward the Modrys as we have had nothing but pleasant exchanges with them as we have encountered each other while walking along Lake Shore Road.

Lastly, as a prologue, this is not a "freedom of speech" issue. We fervently believe that the freedom of speech is the most precious part of the Bill of Rights. But there are limitations on all our rights; they must be balanced with a sense of obligation to others around us. So many communities have noise ordinances, other permitting processes for large gatherings (demonstrations) and, yes, sign ordinances and by-laws.

Our objection to the sign is simply based on our zoning by-laws. Unlike all the other Greensboro zoning districts the by-laws for the Shoreline Protection District do not include signs as a permitted use. We are confident that the reason the Planning Commission did not include signs as a permitted use in the Shoreline Protection District was to protect the aesthetic beauty of Caspian Lake. The sign has been placed in an open field which normally affords a lovely view of the lake and thus is clearly affecting the view shed of the lake. But even if it was placed in a wooded area it would be a violation of the by-laws which do not permit any signs in the Shoreline Protection District.

Now, of course, at present there are some signs in the Shoreline Protection District. Property owners display small “signs” with the names of owners at the top of many of the roads leading down to the lake. Applying common sense, no zoning administrator has asked that those “signs” be removed as they clarify who lives where and even may assist emergency personnel to find particular properties. The Modrys’ sign does not fit this common sense criteria.

The sign was removed for a time and the Modrys have since erected it again, this time in smaller pieces which are placed next to each other that in effect make for a large sign. We do not know what the motivation was to do this but perhaps it was an attempt to make a set of signs that comply with the six square foot sign limitation of districts outside the Shoreline Protection District. If the sign was in the Rural Lands district that would be an unfortunate attempt to skirt the rules governing the size of signs and would certainly be a violation of the “spirit of the law”. But doing this is irrelevant to the issue at hand as the sign is in a district which does not permit any signs.

Another argument is that the sign is only “temporary”. This also is irrelevant to the issue as the by-laws do not state that “temporary” signs are a permitted use, rather signs (of any sort) are not included as a permitted use. If the DRB permits this sign to remain, what prevents the Modrys (or other property owners in the future) from erecting other “temporary” signs for some other cause such as “Save the Whales” followed by other “temporary” signs addressing other issues that they care about? If this sign is permitted to stand then even “temporary” commercial signs would be permitted.

As we read the by-laws the Modrys would be permitted to place a six square foot sign with “Dump Trump” printed on it only on the land they own in the Rural Lands District.

But the by-laws seem unequivocal to us, that is, signs are not a permitted use in the Shoreline Protection District and we ask the DRB to direct the Modrys to remove the sign they erected in that area.

Respectfully,

David Miltenberger and Jeanne Joslin

